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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SONG TANG,

Plaintiff,

V.

ALEJANDRO MAYORKAS, Secretary,
U.S. Department of Homeland Security, et al..

Defendants

C 4:24-cv-00139 JST

**STIPULATION TO STAY PROCEEDINGS;
[PROPOSED] ORDER**

Plaintiff filed this mandamus action seeking adjudication of his Form I-589, Application for Asylum and Withholding of Removal. Dkt. No. 1. On January 8, 2024, the Court issued an Immigration Mandamus Case Procedural Order in this case. Dkt. No. 3. On April 30, 2024, the Court scheduled a case management conference for July 30, 2024, at 2:00 p.m. Dkt. No. 6.

The parties, through their attorneys, hereby stipulate and respectfully request the Court to stay proceedings in this case, including the case management conference and associated deadlines, for a limited time, until December 26, 2024. The parties make this joint request because they are pursuing an administrative resolution that may render further litigation of this case unnecessary.

1. United States Citizenship and Immigration Services (“USCIS”) scheduled an interview on Plaintiff’s Form I-589 application for August 28, 2024. USCIS will work diligently towards

1 completing adjudication of the I-589 application, absent the need for further adjudicative action or
2 unforeseen circumstances that would require additional time for adjudication.

3 2. Plaintiff agrees to submit all supplemental documents and evidence to USCIS seven to
4 ten days prior to the agreed upon scheduled interview. Plaintiff recognizes that failure to submit these
5 documents seven to ten days prior to the interview may result in the interview being rescheduled at no
6 fault of USCIS.

7 3. If needed by Plaintiff or their dependent(s), Plaintiff shall bring their own interpreter to
8 their asylum interview. See <https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13>. Plaintiff recognizes that failure to bring an interpreter to their
9 interview may result in the interview being rescheduled at no fault of USCIS.
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11 4. Upon receipt of the Asylum Office's decision, Plaintiff agrees to voluntarily dismiss the
12 case.

13 5. The parties agree to bear their own litigation costs and attorney fees.

14 Accordingly, the parties stipulate and request that the proceedings in this case be stayed until
15 December 26, 2024, at which time the parties will file a joint status report with the Court. At that time,
16 the parties may request a further continuance of the stay of proceedings, dismissal of the litigation if
17 appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this
18 case will benefit the parties and conserve the Court's resources while the parties pursue a potential
19 administrative resolution. In accordance with Civil Local Rule 5-1(i)(3), the filer of this document
20 attests that all signatories listed herein concur in the filing of this document.

21 Dated: July 24, 2024

Respectfully submitted,

22 ISMAIL J. RAMSEY
23 United States Attorney

24 /s/ Elizabeth D. Kurlan
25 ELIZABETH D. KURLAN
26 Assistant United States Attorney
27 Attorneys for Defendants

1 Dated: July 24, 2024
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/s/ David W. Ewing
DAVID W. EWING
Attorney for Plaintiff

7 **{PROPOSED} ORDER**

8 Pursuant to stipulation, IT IS SO ORDERED. The case is stayed until December 26, 2024.
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11 Date: July 29, 2024
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JON S. TIGAR
United States District Judge